

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:)	
)	
LOUELLA ROLLINS,)	
)	CASE NO. 1:05-bk-04445-MDF
Debtor(s).)	(M.D. Pa.)
<hr/> EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION,)	A05-8063
)	
Plaintiff,)	8:03CV165
)	
LOUELLA ROLLINS,)	
)	
Plaintiff-Intervenor,)	
)	
vs.)	CH. 13
)	
WOODMEN OF THE WORLD LIFE)	
INSURANCE SOCIETY and/or OMAHA)	
WOODMEN LIFE INSURANCE,)	
)	
Defendant.)	

REPORT & RECOMMENDATION

This adversary proceeding is a civil case in the United States District Court for the District of Nebraska which has been referred to this court because the plaintiff-intervenor filed bankruptcy during the pendency of the lawsuit. The parties have filed status reports at the request of this court.

The bankruptcy case is pending in the Middle District of Pennsylvania. That court has jurisdiction over the bankruptcy case, including any requests for relief from the automatic stay under 11 U.S.C. § 362 to permit this civil litigation to proceed. There is a hearing scheduled in that court for November 16 on various stay-related issues.

Under the circumstances, it is appropriate for the district court to withdraw the reference of the case from this court but stay any further proceedings until the Pennsylvania bankruptcy court grants relief from the automatic stay to proceed with the pending matters in the district court in Nebraska or directs transfer of the case to Pennsylvania.

IT IS RESPECTFULLY RECOMMENDED to the United States District

Court for the District of Nebraska that it withdraw the reference of this adversary proceeding and stay all further proceedings in the case pending order of the United States Bankruptcy Court for the Middle District of Pennsylvania.

The Clerk of the Bankruptcy Court shall process this recommendation pursuant to the local court rules.

DATED: October 27, 2005

RESPECTFULLY SUBMITTED,

/s/ Timothy J. Mahoney
Chief Judge

Notice given by the Court to:

Ann Fuller	Kirk Blecha	Gwendolyn Reams
Kim Rogers	Scott S. Moore	Joseph Mitchell
Lynn Palma	Patricia Bangert	Nancy Weeks
Nelson Alston	Lindsay Lundholm	Mary Swick
Michael Kratville	U.S. Trustee	